

ORDINANCE NO. 2008-15

AN AMENDMENT TO CHAPTER 185 OF THE
ORDINANCES OF THE TOWN OF BARRINGTON

*IT IS HEREBY ORDAINED by the Town Council of the Town of Barrington,
Rhode Island, that Chapter 185 of the Town Code be amended as follows:*

§ 185-151. Uses requiring development plan review.

The following uses shall be subject to design, site and traffic impact review, as applicable, when any action is taken that requires the issuance of a building permit or certificate of occupancy other than as excepted in §185-151.1:

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§ 185-151.1. Exceptions to Development Plan Review.

The following actions shall be exempted from Development Plan Review:

- (1) *Change of use.* A use otherwise subject to Development Plan Review is changed to another use that is permitted on the same legal basis as the prior use, and the new use is listed in the same category in § 185-8, provided that the use does not require additional parking or exterior building alterations, *or the demolition of a principal structure or accessory structure of 500 square feet or more*, subject to application to and a written decision by the Building Official.

§ 185-151.2. Demolitions requiring development plan review.

When any proposed action on a site used for any nonresidential use or mixed-use purpose, including but not limited to commercial, industrial, institutional and educational uses, within a Business, Neighborhood Business, Waterfront Business or Limited Manufacturing District, requires the issuance of a demolition permit for a principal structure or an accessory structure of 500 square feet or more, the demolition shall be subject to the design, site and traffic impact review as set forth in Section 200-84 of Barrington's Land Development and Subdivision Regulations. In an emergency the Building Official shall have the authority to remove a building or structure without development plan approval.

§ 185-152. Review Procedure.

- A. All applications filed with the Building Official which meet any of the above criteria for development plan review shall be forwarded to the Administrative Officer. ...

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§ 185 – 154. Technical Review Committee Review.

A. Following receipt of all properly completed development plan review applications, the Administrative Officer shall refer the application to the Technical Review Committee (TRC) as established by the Planning Board in § 200-7 of the Subdivision Regulations.

B. The Technical Review Committee *shall* review the application material and all relevant comments, may inspect the site or building and may consult with appropriate specialists or state agencies. The Technical Review Committee shall have the ability to request that an applicant provide additional material as is necessary to meet the requirements or intent of this article. Review by the Technical Review Committee shall be completed as soon as practical.

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C. The Technical Review Committee shall take action on the development plan review application as described below.

(1) For applications submitted under § 185-151A, the TRC shall take final action on the application in accordance with § 185-155 and either approve the application, with or without conditions, or deny the application. The TRC's decision shall be advisory only to the Zoning Board in regards to any special use permit or variance also required for the development proposal and shall not constitute a final decision.

(2) For applications submitted under § 185-151B, C, D, E, or F, *or § 185-151.2*, one of the following:

(a) A recommendation to the Planning Board that the application be approved, subject to the granting, if necessary, of any approvals from the Zoning Board of Review.

(b) A recommendation to the Planning Board that the application be approved, subject to modifications or conditions, and the granting, if necessary, of any approvals from the Zoning Board of Review.

(c) Referral of the application to the Planning Board, with a recommendation for additional information, modifications to the application and/or provision of additional conditions or amenities.

D. A development plan review application filed in accordance with § 185-151B, C, D, E or F, *or § 185-151.2* shall not be considered complete for purposes of Planning Board review until the Technical Review Committee completes its review of the application and votes to forward the application to the Planning Board with its recommendation(s).

§ 185-155. Planning Board review.

A. For those applications submitted under § 185-151B, C, D, E or F, *or § 185-151.2* of this article, the Barrington Technical Review Committee shall complete its review of the application prior to completion of the submission of the development plan review application to the Planning Board. The Planning Board shall accept the report of the Technical Review Committee and consider its recommendations prior to taking action on the application.

§ 185-158.1. Demolition Standards.

All activity involving the demolition, razing, shoring, or removal of any building or structure shall, at a minimum, comply with the following standards.

Setback – Equipment and debris associated with the demolition of the building or structure shall not be piled, stored or otherwise kept within ten (10) feet of any property line.

Dust Control - Damper applications shall be used at intervals and in amounts sufficient to prevent observable dust from rising from the road surface on any lot upon which demolition is being conducted.

Drainage - Adequate drainage shall be provided upon the site in order to prevent the permanent collection and stagnation of surface water, and the flooding or erosion of surrounding property.

Contours - Upon completion of demolition operations the site shall be smoothed and rounded to avoid any steep or abrupt slopes and no grade shall be left at an angle greater than a natural angle of repose.

Erosion Control - Upon completion of demolition operations the site shall be prepared in a manner sufficient to prevent erosion.

Smoke, Fumes, Particulate Matter and Odors - In no case shall smoke, fumes, particulate matter or odor emissions exceed the standards of the Division of Air Pollution Control, of the Rhode Island Department of Environmental Management.

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§ 185-160. Historic Building and Site Standards.

| A. In reviewing an application submitted under § 185-151 *or § 185-151.2* which also involves, adjoins or is within 200 feet of an historic property which is listed on the National and State Registers of Historic Places, the Technical Review Committee and/or the Planning Board shall apply the following historic building and site standards:

June Sager Speakman, President
Barrington Town Council

Vote: _____ Yes

_____ No